



## CITY OF FOUNTAIN VALLEY

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July 24, 2019

Mr. David Rodecker  
Rodecker Slater LLC  
10175 Slater Avenue  
Fountain Valley, CA 92708

**Subject: City Council Denial of Conditional Use Permit No. 1853 / Variance No. 329 (10175 Slater Avenue)**

Dear Mr. Rodecker:

Per the City Council's action on July 16, 2019, you may no longer operate a wireless facility that operates as a hub-and-relay antenna on the Rodecker building property (10175 Slater Avenue). Accordingly, you must make immediate and verifiable corrective actions to bring the wireless facility into compliance. The following are the steps and options that are available:

**Corrective Actions:**

- A. Per your letter dated September 21, 2018, you noted that you would remove the structure within 10 days of the denial. However, the City is willing to give you until August 23, 2019, to:
  - 1) Remove the entire structure; or
  - 2) Remove those portions of the wireless facility that operate as a hub and relay system. This would need to be accompanied by: (1) a letter describing the desired option (below) for the remaining receive-only antenna, and (2) plans that identify the equipment (name, make, model, and purpose) that is proposed to be removed and is proposed to remain to form the receive-only antenna.
- B. If, by the date noted in this letter, no actions have been taken or significant and verifiable progress on-going and communicated in advance, the City will re-initiate code enforcement actions.

## Antenna Options:

### A. Receive-Only Antenna for personal use at Rodecker Building:

- 1) Less than 12 foot tall mast: no city permit needed per the Over-the-Air Reception Device (OTARD) rule. However, given the history of non-compliance and to clear code enforcement actions, you will need to communicate intent and allow Code Enforcement staff to ensure compliance. Accordingly, please provide plans and a letter stating this intent to Matt Jenkins.
- 2) Greater than 12 foot tall mast: building permit required. In order to issue a permit, please contact the Building Official and submit an application for a building permit for the structure as altered to comply with City and federal law as described herein. Provide a verifiable study showing the height and equipment necessary to receive signals for the use at the building and to show proper placement to comply with Federal safety standards.

### B. After taking the corrective actions noted above, if you desire to establish a compliant wireless hub-and-relay antenna at the Rodecker building:

- 1) Utilize the same CUP application process and standards that were provided to you in September 2018 (city can provide again if needed).
- 2) Submit an application, along with the filing fee, and have engineer and design team follow submittal requirements and design guidelines.
- 3) Comply with city standards regarding stealthing.
- 4) When ready, submit application and necessary fees.

If you have questions, please contact Matt Jenkins, Senior Planner in the Planning Department, or myself.

Regards,



B

Brian James  
Director of Planning and Building  
City of Fountain Valley